

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DARCY EARL SWEARINGEN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-07-1160-M
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	


ORDER

On August 8, 2008, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought pursuant to the Federal Tort Claims Act, seeking damages for the loss of plaintiff's property. The Magistrate Judge recommended that defendant's motion to dismiss be granted and that this action be dismissed for failure to state a valid claim. The parties were advised of their right to object to the Report and Recommendation by August 28, 2008. On August 27, 2008, plaintiff filed his objection.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on August 8, 2008;
- (2) GRANTS defendant's Motion to Dismiss [docket no. 23]; and
- (3) DISMISSES this action for failure to state a claim.

IT IS SO ORDERED this 6th day of October, 2008.


VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE